

# **Yemen Political Reform Assessment**

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(this paper is based on a tdy to Yemen in fall 1998, and represents the views of the author alone – it is not a statement of USAID plans or policy)

## **I. SUMMARY**

Despite extremely adverse conditions Yemen has shown persistence in its drive toward democratic development. The civil war of 1994 constituted a significant disruption in the reform process – nevertheless Yemen has forged onward with its second , free and fair, multi-party, parliamentary election with universal suffrage. Both government and opposition show a commitment to women's political participation. An active civil society continues to advocate political liberalization. There are several human rights organizations, and international human rights NGOs have been permitted to visit the country. The President and judicial leaders have stated their interest in reforming and upgrading the judicial system. But the challenges to democratic development in Yemen are significant. Poverty, illiteracy, national fragmentation, and rural underdevelopment all pose sbstantial challenges.

Having taken these difficult first steps toward democratic reform, Yemen must now undertake the even more difficult task of consolidation. Recent findings reported by Freedom House show that “illiberal democracy tends toward liberal democracy so long as there is internal or external pressure for further reform.” Yemeni political will has been tested by civil war, external intervention and meddling, cultural conservatism and regional hostility, yet has persisted. A renewed U.S. commitment to supporting democracy in Yemen has the potential to boost the country into the thin ranks of the “partially free” Arab states.

While USAID assistance should seek to consolidate progress made in the electoral dimension of democracy building, the emphasis of future assistance must now shift to broadening the social contract and strengthening the rule of law. The fissiparous nature of the Yemeni state presents the greatest risk to democratic progress. Divided as it is, north from south, rural from urban, modern from tribal, Yemen's challenge is to bring disaffected segments of the population into agreement on the nation-wide role of state institutions in establishing and enforcing the rule of law. State authorities currently do not have a monopoly on the use of force, nor are they accepted throughout the country as the final arbiter of justice. It is only through such acceptance that democratic gains can be consolidated. Assistance must therefore attempt to make the justice system responsive and accountable, protective of the rights and liberties of all citizens equally, thus helping to build growing popular trust in the justice system. When disaffected Yemenis come to accept the role of the state in establishing and maintaining the rule of law, their participation in a competitive political process will finally bear the fruit of stable, legitimate governance.

## **II. BACKGROUND**

The emergence of nascent democratic institutions in Yemen presents the United States with important opportunities to support one of its most important foreign policy objectives. In a region where democracy has not flourished Yemen's leaders and people have demonstrated, through modest

and admittedly tentative first steps, a commitment to increasing political freedom and civil liberties. The implementation of this commitment however has been uneven. It is clear that Yemen still faces an uphill challenge in firmly consolidating the progress it has made toward democratic institutions.

Although deriving from separate political motivations the drive for democracy in Yemen was closely linked in the Yemeni mindset to the drive for unity. The former Yemen Arab Republic (YAR) and the former Peoples Democratic Republic of Yemen (PDRY) proclaimed unity after several decades of alienation. The southern PDRY had been a socialist state aligned with global socialism/communism. The northern YAR had developed into a republican government with strong traditional and religious influences. Following the collapse of communism in the Soviet Union and Eastern Europe, and thus the demise of the subsidy, trading and political networks of global communism, the PDRY had little economic latitude other than to seek unity, largely on northern terms. The northern YAR meanwhile sought unity based on democratic terms as a means of coping with its own economic crisis resulting from a loss of foreign assistance, oil revenues and foreign remittances.

The first popularly elected legislature was elected in 1993 in a competition contested by three main political parties; the northern-based GPC party, the southern-based YSP, and the Islamicist Islah/Reform party. The coalition government that was brokered by the GPC and the YSP following the 1993 election foundered, and a brief civil war between the north and south in 1994 left the south and the YSP badly beaten, and the GPC strengthened and in full command. The postwar governing coalition consisted of GPC and Islah. New legislative elections were held in 1997, with the GPC winning a dominant role, 189 seats, or a 63% majority. It currently governs alone, Islah holding the main opposition place with 52 seats or a 17% minority. GPCs electoral dominance was facilitated by a YSP led opposition boycott. The boycott has been debated and most appear to believe it represents a serious miscalculation on the part of YSP leaders. It is surmised that the decision was based on a pessimistic assessment of YSP's popularity among voters. The boycott certainly has effectively marginalized the YSP, and disfranchised many of its southern constituents.

USAID has supported and continues to support Yemen's tentative steps toward democratic government. USAID supported international as well as domestic observation of the 1993 legislation. During the 1997 campaign USAID supported both the Supreme Elections Council (SEC), as well as political parties contesting the election. In past years the U.S. government, through both USAID and USIS has sponsored limited opportunities for legal/judicial exchange and training. Also important is the role USAID has historically played in Yemen, providing dozens of Yemenis with higher education opportunities in the U.S. In a September cable from the U.S. Embassy it is stated; "Many of Yemen's most important and respected policy- and opinion-makers hold a degree from an American institution.....These few have made an enormous contribution to the modernization and democratization of the country.....The most vocal champions of Yemen's experiment with multi-party, female-inclusive democracy are those Yemenis who lived and studied abroad for a significant period of time, particularly those who lived in the U.S."

The challenges to democracy in Yemen are significant and profound. The next five years will be critical in consolidating and building upon Yemen's democratic achievements. During that period a full electoral cycle will take place, including municipal, presidential and legislative elections. This will provide Yemenis with the opportunity either to become accustomed to voting as a civic opportunity and duty in a democratic society, or to register their disenchantment with the democratic experience by abstaining. Moreover this period will give the parliament its opportunity to vindicate Yemeni electoral

participation by representing and responding to the needs and desires of the electorate. Confidence in democratic government must be built by shielding the processes of government from corruption and arbitrary exercise of power. The Yemeni people in this five year period must learn to trust in the fairness and justness of their legal system and the polity it supports, and that system and polity must deserve their trust, if democratic government is to flourish in Yemen.

### **III. DIAGNOSTIC ASSESSMENT**

The 1997 parliamentary elections were judged credible by the international observers present, and have been accepted by the Yemeni electorate at large. The national voter turn-out rate was 57%. Although this represented a 24% decrease from participation of eligible voters in the 1993 parliamentary election, it is nevertheless respectable. The decrease can plausibly be attributed to the YSP led opposition boycott of the election, which resulted in a significantly lower voter turnout in the south. There appear to have been no systemic obstacles to voting in the electoral process, nor do there appear to have been significant cases of obstruction of individual voting rights. Women's turnout increased over the 1993 election.

Thus far the electoral process is the single most visible exercise of democratic practice experienced by the Yemeni people. Despite numerous procedural flaws in both the 1993 and 1997 elections, the majority of Yemeni and foreign observers have accepted the results of both elections as representative of public political preferences. Yemenis appear to have accepted the practice of voting as a legitimate means of selecting national political leadership. YSP leaders did not advocate disruption of the election or of the polling process. Their boycott can be interpreted as a legitimate, tactical choice within a democratic system. Even those, primarily from the south, who abstained from participating in the 1997 election appear to accept the principle of elections and voting. Thus the electoral experience is the wedge experience for democracy in Yemen. Any tarnishing of that experience, either through further boycotts or electoral fraud risks despoiling the seminal Yemeni experience of democracy, possibly if not likely resulting in Yemeni disenchantment with democratic reforms in general.

Both the 1993 and 1997 elections were contested by several political parties. Following the 1997 election the GPC is the dominant party however with the vast majority of parliamentary seats and substantial access to public/political resources. The prospects of the YSP were undoubtedly suffering prior to the boycott decision, but appear to have been seriously hurt by the boycott itself as well, and the YSP as a result has become despondent and rudderless. Islah did not fare quite as well as it hoped, but remains a credible party with a strong if limited core following. As a result of the GPC's thorough domination of all branches of government it is in a position to suppress future competition in order to sustain that dominance. This is a real threat and must be guarded against if future elections are to offer real and meaningful choice to voters.

The principle of presidential/parliamentary government is not challenged. Other aspects of the social/political contract that undergird democratic governance are not universally accepted however. For example the paramount authority of the state, as represented by the central government, is not universally respected. Large parts of Yemen's rural areas are governed by tribal structures. Tribal leaders often do not tolerate government interference in their affairs and even threaten military force against government attempts to impose its mandate. The rule of law is often a casualty of this limited acceptance of the democratic social contract. The State Department "Yemen Report on Human Rights

Practices for 1997" notes tribal prisons holding detainees for strictly personal reasons and without trial or sentencing, as well as tribal hostage taking. Judicial decisions carrying the weight of the state are often unenforced, due to vigorous resistance from tribal communities. Even judicial decisions that have been enforced can be subverted by retaliatory acts taken against judges themselves by tribal agents. A locally printed law journal (Al Qistas, 10/98) reports numerous assaults against judges by unknown assailants. Furthermore there are pervasive allegations of corruption within the state apparatus including the judiciary, suggesting that the consensus on a democratic social contract is not complete even within official state agencies.

The institutional capacity for democratic governance remains fledgling and weak. The legislature has little ability to serve as a counterbalance to the executive branch. This extends to the all important role of reviewing or participating in the national budget process. The judicial branch is primitive. According to the State Department 1997 Country Report on Human Rights in Yemen, "the judiciary, nominally independent, is weak and severely hampered by corruption, executive branch interference, and frequent failure of the authorities to carry out sentences." The executive branch itself has trouble exerting its authority in provincial regions dominated by tribal authorities, as mentioned above. Civil society (in the secular sense) is very thin and vulnerable. Religious institutions, traditions and authorities are strong, but generally not predisposed to democratic development.

With respect to the de-centralization of authority Yemen has not made significant progress. This is particularly troublesome in the southern governorates. The "local administration law" has not yet been enacted, and this fact is likely to delay the local elections currently scheduled to be held in 1999. The principle referred to by Europeans as "subsidiarity", according to which public policy decisions are taken at the level of government closest to those affected by the decision, has not been embraced. According to disaffected southern leaders the draft of the law under consideration does not provide for true autonomy or meaningful self-governance. Providing merely for local administration rather than local government, its efficacy will be further diluted by the lack of budgetary or revenue raising authorities. De-centralization however is problematic in a country already beset by wide divisions. It would be perhaps the area with the greatest risk factor for a bi-lateral donor.

<b>Competition</b>	Limited but acceptable; multiple credible political parties in two successive elections.
<b>Social Contract.</b>	Frequent resort to non-constitutional means by non-state actors. Some significant actors do not share a consensus on the terms of the social contract.
<b>Participation</b>	Free and open elections and universal suffrage; non-governmental organizations are able to function openly.
<b>Subsidiarity</b>	Government structures are centralized and concentrated. Local administration does not realize local aspirations for local autonomy.
<b>Institutional Capacity</b>	Very weak. Rampant allegations of corruption. Very limited human resource base.

#### **IV. SIGNIFICANT GROUPS**

##### **The Ruling Elite**

The ruling elite appears to bring together foreign (western) educated technocrats and tribal leaders, both largely from the northern governorates. Employed primarily in the executive branch, with a few among the legislative leadership, the ruling elite is well-established. Many of the most influential have held senior official positions in successive governments. Most appear comfortable in their relations with western and multi-lateral donors. They have, for the most part, adopted the vernacular of democracy and are adept at "walking the walk and talking the talk." It was my clear impression that the ruling elites often confuse their personal, and group agenda with the democratic agenda, assuming those who resist their initiatives are anti-democratic. It is troubling that in their zeal to implement an agenda, even if it is a reform or democracy agenda, the ruling elite seem prepared to sacrifice or overlook procedures considered integral to a democracy. For example while traditionalists within the judiciary are certainly an impediment to judicial reform, their apparent purging may not have been as transparent or conformed as closely to the notion of judicial independence as a mature democracy would require. I did not receive the impression that the agenda of the ruling elites was either grossly venal, corrupt or brutal.

##### **Tribal Leaders**

The central government of Yemen has never been able to exert its authority unchallenged in Yemen's vast rural areas. Populated by thousands of villages and dominated politically by tribal configurations these areas are home to the majority of Yemenis. In the absence of strong central government the services normally associated with government, such as social services, dispute resolution, and security have traditionally been provided by tribal structures. Tribal leaders vigorously defend and protect their prerogatives, correctly viewing that state modernization and democratization will come at an expense to them in terms of power. For the most part this group has not had foreign education or extensive exposure to the international donor community. They do not happily accept the authority or mandate of the central government, and occasionally resist government initiative even to the point of armed resistance. Donors and implementing organizations should not expect the community of tribes and tribal leaders to be enthusiastic supporters of democratic reform.

##### **Southern Elite**

Most observers agree that the YSP decision to boycott the 1997 election was nearly, if not totally suicidal. It did have the undeniable effect of disfranchising an already alienated southern population. The southern leadership that remains in the country now feels itself dispossessed of power, even within the southern governorates. The grievances they site are numerous, but often confuse the fate of this group with the fate of democracy in the country as a whole. There appears to be a tendency to blame the northern elites for all the political and economic woes of the south, and to attribute those woes to the lack of democracy or human rights. Most analysts would agree that at least some of the most severe problems of the south are not unusual in countries undergoing transition from a centrally planned economy and socialist government to a market economy in a democratic polity. Nevertheless, unable to take an effective political stand, reconcile themselves to compromise and the competition of ideas, and deprived of their means of autonomy, both military and economic, they seem fated to sink further into cynicism. Some however could possibly be co-opted to support human rights and other limited democratic reforms to the extent that they see their self-interest promoted through such reforms.

##### **Military**

Although a key arbiter in the civil war of 1994, the Yemeni military has refrained from overt involvement in current political activities. According to U.S military sources a large number of Yemeni officers are on furlough while receiving military stipends and holding regular jobs in the government. The military does play an active role in exerting police powers in and around Sana'a, particularly with respect to the regulation of firearms. Soldiers man roadblocks and institute vehicle checks to discourage the importation of weapons into the major cities. The southern military threat was effectively neutralized with the northern victory in the 1994 civil war. All threatening military equipment was confiscated by the northern army. The army does not appear to threaten or promote democratic reform, but may be used as a tool in exerting the mandate of central government in the tribal areas.

## **V. OTHER DONORS**

Yemen is a relatively crowded environment for donor organizations. This is even true in the field of political reform and "democratization". A number of significant multi-lateral and national assistance organizations have active programs in support of democratic reform.

The United Nations Development Programme (UNDP) has been actively engaged in supporting the electoral process since 1996, providing general logistical support and underwriting a variety of workshops. UNDP is also considering institutional capacity building activities to help improve human rights performance. Recently USAID implementing partners IFES and NDI have been in close contact with the UNDP, which is providing support to both organizations; for the advancement of election reform and for the development of a legislative strengthening program respectively. This coordination is important given the congested donor environment and the limited human resources available for activity implementation in Yemen. USAID should continue to encourage its implementing partners to seek this kind of multi-donor support, and should be accordingly pleased that the activities implemented do in fact reinforce each other.

The European Union (EU) has also been actively supportive of democratic processes in Yemen. During the 1997 election build-up, the EU encouraged bipartisan support of female candidates. It also provided computer and communications material support to the Supreme Election Committee.

The British Council is planning a significant prison management and reform activity involving 5-6 prisons. This activity is expected to examine the problem of prolonged pre-trial detention, cited as a "common practice" by the State Department "Yemen Report on Human Rights Practices for 1997". The Council also provides training and study tours for the judiciary.

The World Bank has recently conducted an assessment of the legal and judicial sector in Yemen. The purpose of the assessment was to prepare the Legal and Judicial Development Project, expected to be the first phase of a long-term World Bank involvement in the legal and judicial sector. The project, currently being appraised by World Bank management, will be funded by a \$2-3 million International Development Association (IDA) credit. As currently planned it will consist of judicial reform, legal reform and public awareness pilot activities primarily focussed on commercial and investment aspects of the rule of law.

Although there exists significant donor commitment to Yemen in the field of governance and democratic reform, there remains an equally significant role to be played by the United States. The US

alone is perceived as the global leader in democratic reform, and active US engagement provides the only leverage we have, or will have, in helping to guide this process.

## **VI. ADDITIONAL CONSIDERATIONS**

It is tempting to argue that the ground for democratic reform in Yemen is fertile and that virtually any well thought intervention should yield positive results. This is not sufficient guidance for decision-making. Scarce resources are likely to achieve maximum impact and avoid marginalization when they are directed by strategic choices. What follows are considerations that lead to a possible prioritized program.

In a democracy the judiciary has a vital role to play in holding the other branches of government accountable according to law. This is especially salient in a setting in which relations between branches of government are evolving. The courts have the additional highly critical role of protecting the legal rights of citizens and articulating the legal protections for the political space required to promote democratic governance. According to the State Department's Yemen Report on Human Rights for 1996 the courts and judiciary are not playing these important roles, and are, "severely hampered by corruption, executive branch interference, and frequent failure of the authorities to impose sentences." With this assessment in mind an intervention working with the judiciary could strengthen judicial institutions such that they might assume a more constructive role in counterbalancing executive authority. According to the representative of a prominent donor organization in Yemen, "the judiciary is the real issue.....not everyone is equal before the law." Others have stated that although human rights abuses are neither systemic, nor systematic, nor utilized as a tool of public policy, there is little public confidence in the justice system. Many judicial decisions remain unenforced. The need for a more independent, less corrupt, and better trained judiciary is one of the few policies upon which current government leaders and disaffected southern leaders agree.

Yemenis' seminal experience with democracy has been the electoral process. Given the narrowness of this experience, any corruption of that process could jeopardize the public's apparently positive disposition toward democracy. While the recent election has been widely acknowledged as acceptable, it was pitted by many flaws that could develop into serious defects in future elections. Yemenis will be called to the polls at least twice in the next two years, for the municipal and presidential elections. The best remedy for voter cynicism and fatigue will be to ensure beyond any doubt the integrity of the electoral process. Any aspersion cast on the electoral process will inevitably infect the public view of the institutions created by those processes. Therefore while the recent elections were not seriously defective, the continued support and development of the electoral apparatus is warranted. It is this apparatus that secures the competitive and participatory aspects of democratic governance.

The 1997 election featured competition among a number of parties, however it was largely dominated by the GPC, the party of the President. Of the two other major political parties, YSP is fragmented and appears somewhat rudderless after its decision to boycott. Islah fared less well than it had hoped. Both parties need to cultivate a variety of political skills and capacities to make them more competitive. Smaller parties as well as local political groupings also require strengthening if they are to be credible competitors in the very important upcoming municipal elections. Activities that help build the competitive viability and the credibility of political parties could strengthen democracy in Yemen by making the municipal elections an opportunity to exercise choice and see results in the more

immediate context of a local setting.

The current legislature is the product of an electoral process that engaged the citizenry in large numbers. Not only was voter turnout high, but many Yemenis participated as poll workers, poll watchers and monitors. They all have a vested interest in this process and its product. Among the lessons we have learned is that a legislature unable to produce respectable results loses its public support quickly. The Yemeni legislature needs assistance in many areas that amount to institution building. Both the human and capital resource base are strained to perform effectively. The legislature's failure to perform effectively could subvert the prospects of democratic development significantly. Therefore programs to support the maturing of the legislature and strengthen its capacities should help consolidate public support for democracy.

The progress of democracy in Yemen is further complicated by the lack of broad public understanding of the institutions, processes, and limitations of democracy. The electorate votes, but do they understand what they are voting for? The politicians and sheiks run for office, but do they understand their responsibility to their constituents? In order to expand the community of Yemenis committed to democratic reform, a better popular understanding of democratic governance is important. Many currently believe that democracy will solve all political problems, and obversely that until all political problems are resolved Yemen cannot be called a democracy. Both are false, and these misimpressions are harmful. There is widespread confusion between the public and private interest, with the disaffected concluding that since their civil and political rights have been infringed, there are no civil and political freedoms, nor can there be democracy in Yemen. This belief is also false and harmful. Public education on a full range of issues, from election education to legal literacy, would help to dispel these false and dangerous beliefs.

Yemen's democratic experiment has been acknowledged internationally, but only in the context and timeframe of its electoral cycle. The country remains highly isolated in the international community, particularly as it stands out in the Gulf region. It is widely believed among Yemeni reformers that greater acknowledgement is due, and that greater interaction with other emerging democracies would strengthen the hand of political reformers in Yemen. As discussed above there are in Yemen pockets of resistance to democratization which will take action to protect their interests. The path toward democracy in Yemen, while still navigable, is by no means free of obstacles, and democratic reformers - even if their commitment is inconsistent - still require external support for the purposes of internal leverage.

## **VII. RESULTS AND IMPLEMENTATION**

Based on examination of recent papers on Yemeni reform, reports and interviews with USAID implementing partners in Yemen and other donor organizations, and interviews with both Yemeni and expatriate officials during a recent visit, it is possible to offer a provisional strategic objective and associated intermediate results. This recommendation is submitted merely as a feasible and credible starting point, and should be subject to inter-bureau and inter-agency discussion and agreement.

### **Strategic Objective: Increase both state and popular commitment to democratic participation**

Popular commitment to democratic participation is "broad" but "shallow". Most Yemenis embrace the notion of democracy, but many without truly understanding the ramifications of a democratic reform process. The commitment must be both broader and deeper in order to ensure that



Yemen's democratic reforms are more than just formalities, and in order for Yemenis to hold government officials accountable to the commitments they have made.

**Intermediate Result: Electoral participation levels consolidated and stabilized**

Although the voter turnout for the legislative election in 1997 was 24% less than in 1993, this need not be an irreversible downward trend. USAID funded assistance should be able to reverse this trend and stabilize voter participation at a higher rate, thus demonstrating the commitment of the Yemeni electorate to the electoral process.

**Intermediate Result: More competitive electoral process**

The past two elections have had meaningful competition, both between political parties and between visions of Yemen's future, but the level of competition was less in 1997 than in 1993. USAID funded assistance should seek to improve the competitive environment for parties other than the GPC, and to reduce GPC's dominance over the electoral and political process.

**Intermediate Result: Responsiveness and performance of legislature improved**

The electorate is likely to judge the democratic experiment by the productivity of the parliament it elected last year. Thus far the parliament has not apparently impressed the general public. Developing better relationships with both constituents and other sectors of the state apparatus will help the parliament to pay a more constructive role in the making of policy. Parliament's effectiveness in translating popular needs and desires into public policy should result in increased popular commitment to participate in the process of renewing the parliament.

**Intermediate Result: Improved performance of the rule of law system**

Impunity, non-enforcement of judicial decisions, corruption within the judiciary and judicial incompetence have all contributed to low public esteem for the legal/judicial system. This low esteem in turn jeopardizes the sense of fairness and justice the public has of the government they have elected. Improving the performance and responsiveness of the rule of law system will increase popular levels of confidence and satisfaction with the legal/judicial system.

**Intermediate Result: Increased public understanding of democratic governance**

USAID should encourage increased interaction involving the public in an open dialog on democratic reform. Increased understanding should result in more realistic expectations. More realistic expectations will be less easily disappointed by normal political and competitive processes. This better understanding can partially be accomplished by exposure to the experiences of other emerging democracies, and greater engagement in the international dialog on democratization.

## **VIII. IMPLEMENTATION PLAN**

With respect to the rule of law system USAID has not initiated any specific activity, yet this was frequently alluded to as the major impediment to democratic progress. The proposed budget allocates significant resources throughout the strategy period for this dimension. Work with both private and public sector actors is envisioned, including possibly the judiciary, the prosecution, the Supreme National Committee for Human Rights, the Human Rights Committee of the Consultative Council, local human rights NGOs and possibly the police. An initial planning mission would be required, and this could be conducted by representatives of the DOJ, the US federal judiciary, IDLI, the G/DG and USAID/ANE staffs. One of the new rule of law cooperative agreements could also be utilized for the planning mission. It is likely that training for the judiciary could be managed by IDLI with assistance from the US federal judiciary. Training for prosecutors and Ministry of Justice officials could be provided by the DOJ

through the existing global PASA. Assistance to the two official human rights agencies, and the Yemeni human rights NGOs could be channeled through an appropriate grantee. Any training of police would be subject to relevant waiver requirements and could be conducted the DOJ's International Criminal Investigative Training Assistance Program (ICITAP). Such a combination of direct and indirect assistance should help to **"improved performance of the rule of law system."**

In FY98 USAID, in close consultation with the State Department and NGO implementing partners, supported a democracy support program intended to consolidate Yemen's progress in the electoral and parliamentary dimensions.

The investment in the IFES support program for the Supreme Electoral Council (SEC) should prove sufficient to institutionalize procedures and training for the SEC and the many local election officers required for successful elections. In FY01 it is envisioned that additional support may be needed for the national legislative elections expected that year. Support could include both institutional strengthening and voter education in order to accomplish the intermediate result of **"electoral participation levels consolidated and stabilized."**

In order to ensure competitive elections in the future assistance must be provided to other parties than the GPC, which currently dominates electoral and political processes. The GPC also controls all the major governmental institutions, including the judiciary. This situation threatens the long-term prospects of democracy in Yemen and needs to be addressed. A party support activity starting in FY99 and extending through the national legislative elections in 1991 is merited in order to meet the proposed intermediate result, **"more competitive political process."**

With respect to the development of the parliament the FY98 investment should be followed by reduced but still significant support throughout the strategy period. Developing a good system of two-way communication between legislators and their constituents is an important element of legislative effectiveness. Also required is support to help the legislature better perform its functions of legislative drafting and review and executive oversight. Such support should help to accomplish the intermediate result, **"responsiveness and performance of the legislature improved."**

In order to increase both official commitment to continued democratic reform and increase popular commitment to and understanding of democracy this strategy proposes support for an NDI organized conference entitled, "Emerging Democracies Forum: A Political Leaders Summit." The impact of this conference would be two-fold. On one hand it would publicly document the Yemeni government's public and international commitment to democracy. On the other hand such a major event held in such a small and isolated country will serve as a publicity event **increasing popular awareness and understanding of democracy.**

Activity	Partner	FY98 (000)	FY99 (000)	FY00 (000)	FY01 (000)
<b>Rule of Law</b>	TBD	0	\$1,000	\$1,250	\$1,250
<b>Election Support</b>	IFES	\$750	0	0	\$250
<b>Party Support</b>	NDI	0	\$250	\$250	\$250
<b>Legislative Support</b>	NDI	\$550	\$350	\$250	\$250
<b>International Conference</b>	NDI	0	\$400	0	0
<b>Scholarships</b>	TBD	0	\$400	\$400	\$400
<b>TOTAL</b>		<b>\$1,300</b>	<b>\$2,400</b>	<b>\$2,150</b>	<b>\$2,400</b>

## IX. A STRATEGIC CHOICE

The State Department has made a strong case for active U.S. support for Yemen. The U.S. Embassy, DRL and NEA have called for USAID involvement, particularly in the area of democratic reforms. From the vantage point of USAID Yemen is a non-presence, or limited presence country. Residual programs, expected to close-out in 2000, are managed by three foreign service nationals in Sana'a and a task force based in USAID/Cairo. Democracy support activities, i.e. IFES and NDI, have been overseen by the Center for Democracy and Governance.

On the basis of management and human resource constraints USAID has argued against a significant increase or revival of a foreign assistance program for Yemen. Insufficient management control is likely to result in a less than optimal return on investment in terms of real program results. USAID does not however appear to take the position that the working environment in Yemen precludes meaningful results. On the contrary most concerned USAID officials appear to take the view that all things being equal, Yemen would be a good development partner, with real and urgent development needs, and the potential for positive results.

It is clear that USAID cannot accept every challenge to implement programs in non-presence countries. Equally USAID cannot avoid all non-presence country engagements without risking its leadership in foreign assistance programming, particularly in the field of democratic reform. In the case of non-presence countries it may be to USAID's ultimate advantage to carefully select countries for engagement based on three criteria;

- the quality of the potential partnership with the host country government;
- the potential for significant and visible results;
- the commitment and relevant expertise of USAID implementing partner organizations.

If this set of criteria were accepted Yemen would emerge as a likely candidate for USAID non-presence engagement. According to the U.S. Embassy the commitment of the Yemeni leadership is real if inconsistently applied, and the Yemenis are extremely enthusiastic about USAID support for their democratic development. My visit confirms this view. Due to Yemen's location in the strategically vital Gulf area, and the paucity of democratic governance throughout both the Gulf and the Near East in general, any credible results are likely to be very visible. We have already observed that fact during the 1993 and the 1997 elections. Our role has been widely acknowledged both within and outside Yemen as being positive and as helping to bring Yemen a step closer to the community of democratic states. Will our efforts yield significant and visible results? I submit that every time an election is held in Yemen, and there are at least two more scheduled in the near future, it will be noted around the world. To the degree that we can contribute to successful democratic elections, or to democratic parliamentary practice, the results will indeed be significant.

Furthermore if over the next several years democratic governance can get a firm hold in Yemen, this constitutes a very good reward from our investment. The likelihood of this is increased by the quality and commitment of the implementing partners USAID works with in Yemen. IFES and NDI both have invested substantial time as well as their own institutional financial resources to nourish their Yemeni relations. In addition the International Development Law Institute has conducted a legal sector assessment and training in Yemen. In short USAID has excellent and committed implementing partners in Yemen.

USAID currently has sufficient grant-based implementing mechanisms to carry out a multi-

faceted democracy support program in Yemen. The management burden imposed by grant agreements, although realistically not as light as sometimes intended, is less than with contracts. USAID's Center for Democracy and Governance successfully manages mechanisms with activities in the majority of USAID presence countries, and a range of non-presence countries. The CEPPS consortium, Department of Justice PASA, IDLI PIO grant, and two new rule of law cooperative agreements can cover all the activities recommended above.